

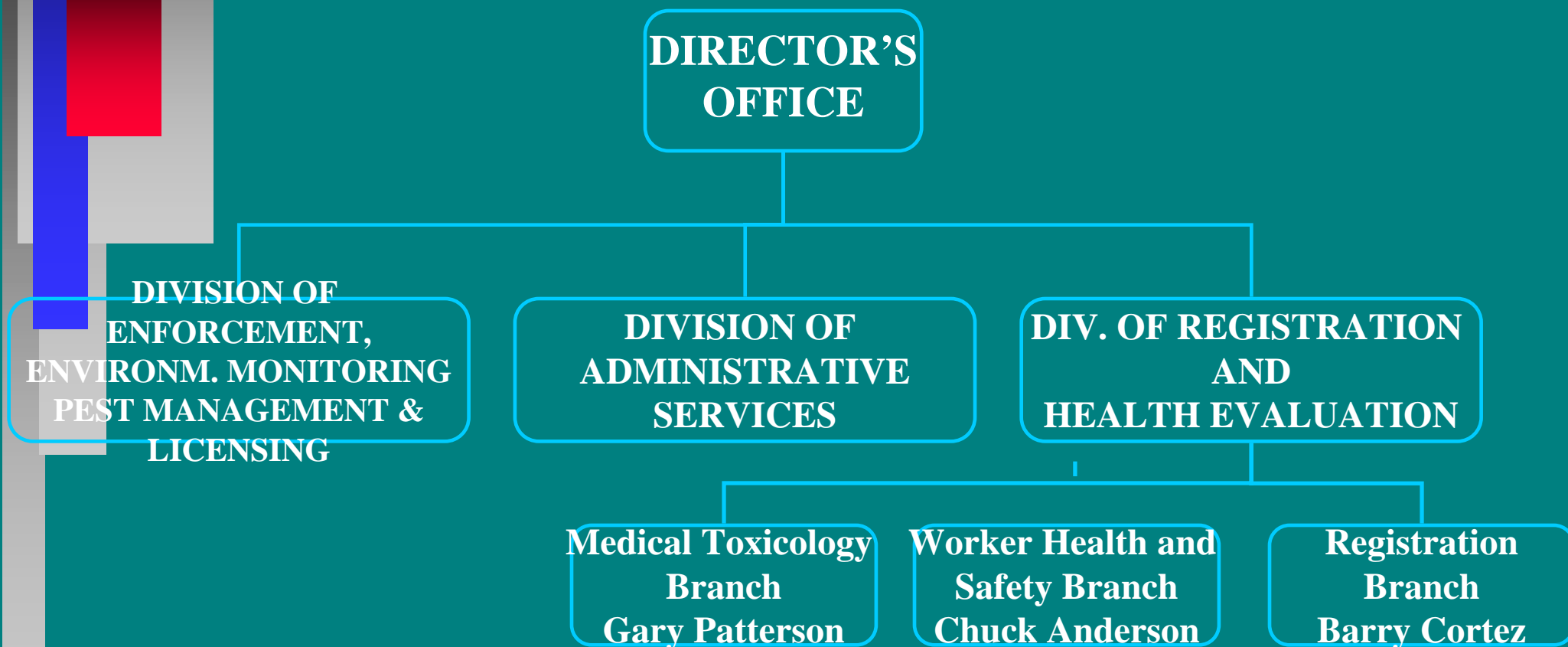
WHY IS CALIFORNIA DIFFERENT?

Van Cheney
Program Supervisor
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WHY IS CALIFORNIA DIFFERENT ?

- HISTORY - ONE HUNDRED YEARS OF LAW REGULATING PESTICIDES
- CEQA - CALIFORNIA ENVIRONMENTAL QUALITY ACT
- STRUCTURE AND SIZE

About DPR: Organization



DPR Registration Staff

Pesticide Registration Branch

Pesticide Registration

Van Cheney

New Active Ingred.

Section 18s

SLNs 24 [c]s

Pesticide Evaluation

David Supkoff

Antimicrobials

Research Authorizations

Chemistry

DPR Registration Staff

Van Cheney
Ag Prog. Supervisor IV

Fish and Wildlife reviewers
Label Resource and Data
Ctr

•Agricultural & Home/ Grdn
Registration Specialists
- Leilani Hansen
- Andy Yokoyama

EARLY LAWS

- NEW YORK 1898
- OREGON & TEXAS 1899
- WASHINGTON & CALIFORNIA 1901
- CONSUMER PROTECTION AGAINST FRAUDULENT PRODUCTS

REGISTRATION

- **FEDERAL LAW PASSED IN 1910**
 - NO REGISTRATION REQUIREMENT UNTIL 1947
 - NO FEE REQUIRED UNTIL 1976
 - NO CANCELLATION OR DENIAL
- **CALIFORNIA LAW PASSED IN 1911**
 - REQUIRED REGISTRATION & FEE
 - ACTIVE INGREDIENT STATEMENT ON LABEL
 - NO CANCELLATION OR DENIAL

DENIAL OF REGISTRATION

- CALIFORNIA COULD DENY A REGISTRATION AS OF 1929
- FEDERAL GOVERNMENT COULD NOT DENY A REGISTRATION UNTIL 1964

SAFETY

- CALIFORNIA ADOPTS THE FIRST ENVIRONMENTAL SAFETY REQ'TS IN 1949 AND SETS UP A WORKER SAFETY PROGRAM IN 1974
- FEDERAL GOVERNMENT DID NOT HAVE AUTHORITY OVER PESTICIDE USE IN THE FIELD UNTIL USEPA WAS ESTABLISHED IN 1970 - SET UP WORKER SAFETY PROGRAM IN 1990's

RESTRICTED USE

- CALIFORNIA RESTRICTED THE USE OF PESTICIDES FOUND TO BE HARMFUL TO HUMANS OR THE ENVIRONMENT IN 1950, REQUIRING A PERMIT BE ISSUED FOR THEIR USE.
- USEPA ESTABLISHED RESTRICTED USE DESIGNATION IN 1976

SUPPORTING FEES

- IN ADDITION TO INCREASING REGISTRATION FEES, MILL ASSESSMENTS WERE ESTABLISHED IN 1971
- USEPA ESTABLISHED THE REGISTRATION AND RENEWAL FEES IN 1976

ADDED AUTHORITY

- 1969/1970 - LEGISLATURE ADDED REQUIREMENTS FOR “THOROUGH EVALUATION” AND “ORDERLY CONTINUOUS EVALUATION” OF REGISTERED PESTICIDES
- 1972 - FIRST EVALUATION SCIENTISTS HIRED TO IMPLEMENT THIS REQUIREMENT.

CEQA

- 1970 California Legislature enacted CEQA, the California Environmental Quality Act
- CEQA required preparation of an EIR Environmental Impact Report for each permit issued by a state or local agency.

CEQA

- 1976 - State Attorney General issued opinion that state's pesticide regulatory program must comply with CEQA when registering a pesticide product.

CEQA

- DPR would be required to prepare an EIR before registering each of the 2000 new pesticide products entering the marketplace each year.
- A specially convened Environmental Assessment Team determined that the development of individual EIRs was not feasible.

CEQA

- 1978 – California Legislature amended CEQA to provide a process whereby certain state agencies, including the pesticide regulatory program, could be certified as functionally equivalent to a full-scale EIR.

CEQA

- To become certified, the CDFA (now DPR) had to revise its regulations, expand its review of scientific data, provide for consultation with other state agencies, and provide public notice of all proposed and final decisions regarding registration, renewal, and reevaluation.

CEQA

- 1979 – California's pesticide regulatory program was certified by the State's Resources Agency as functionally equivalent to an EIR under CEQA

TYPES OF PRODUCTS

- APPROXIMATELY 12,000 PRODUCTS ARE CURRENTLY REGISTERED, CONTAINING ABOUT 800 ACTIVE INGREDIENTS
- THIS INCLUDES AGRICULTURAL, INDUSTRIAL, HOME & GARDEN, FUNGICIDES, RODENTICIDES, SANITIZERS & DISINFECTANTS, AVICIDES, INSECTICIDES, ETC

THE NUMBERS

- EACH YEAR, WE RECEIVE ABOUT 10,000 MAILED ITEMS
- OF THESE, 5000-7000 ARE FOR A REGISTRATION ACTION, NEW OR AMENDED
- OF THOSE, ABOUT 1500 ENTER THE SCIENTIFIC EVALUATION PROCESS
- THERE ARE 5000-6500 REGISTRATION ACTIONS COMPLETED PER YEAR

CEQA

- Legislation passed (SB 1393 – Kuehl) that amended CEQA. The amendment required Resources Agency to develop a protocol for review of certified regulatory programs to determine consistency of the program with requirements of CEQA.

FUNCTIONAL EQUIVALENCY

- While not as lengthy, functional equivalency is legally recognized as having the same effect as an Environmental Impact Report.
- What does functional equivalency look like? The presentations during this conference will describe the process that results in functional equivalency.